

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: January 24, 2006, Work Session

AGENDA ITEM NO.: 4

CONSENT:

REGULAR: X

CLOSED SESSION:

(Confidential)

ACTION: X

INFORMATION:

ITEM TITLE: Increased Fines for Speeding on Residential Streets

RECOMMENDATION: Approve an ordinance and policy to establish speeding zones in residential neighborhoods where a violation is punishable by a fine of \$200.

SUMMARY: According to Section 46.2-878.2 of Virginia Code, a local governing body can develop and adopt criteria implementing speed zones through residential neighborhoods that have an increased fine of \$200.00 or 20 hours of community service as ordered by the court. It is anticipated that adoption of this fine will raise the awareness of motorists to obey the speed limits not only within these certain speed zones but also on other roads within the City. According to State Code, these zones have to be properly designated with the fines clearly posted. The increased speeding fines will be considered as one of the possible "tools" in the Neighborhood Traffic Management Program (NTMP) toolbox.

Traffic Engineering will designate a speed limit zone using the following criteria:

1. Any neighborhood that has petitioned the City for the NTMP and has met the minimum criteria (Step 2a of the NTMP document) is eligible. If posting increased fines is selected during the charrette process as the preferred option and approved by City Staff, it will need to achieve a 66% approval rating (similar to physical measures) from the residents before it goes to Council for approval.
2. Speed limit zone areas will be logically designated with begin and end points and will be signed accordingly. Once a road becomes designated as a speed limit zone, its name will be published in the ordinance.
3. If a neighborhood would like a speed limit zone from the initial stages of the process, they must still follow all the steps in the NTMP document.
4. This provision can also apply to major collectors and arterials per Section 46.2-878.2.

PRIOR ACTION(S): None. The Neighborhood Traffic Management Plan (NTMP) was approved on December 13, 2005.

FISCAL IMPACT: Speeding ticket proceeds could increase due to increased fines. Negligible increase due to additional signage requirements.

CONTACT(S): Kim Payne, 455-3990; Gerry Harter, 455-3935

ATTACHMENT(S): 46.2-878.2 Virginia Code; Proposed Ordinance for Increased Fines for Speeding on Residential Streets

REVIEWED BY: lkp

Virginia Code

§ 46.2-878.2. Maximum speed limits in certain residence districts of counties, cities, and towns; penalty.

Operation of any motor vehicle in excess of a maximum speed limit established for a highway in a residence district of a county, city, or town, when indicated by appropriately placed signs displaying the maximum speed limit and the penalty for violations, shall be unlawful and constitute a traffic infraction punishable by a fine of \$200, in addition to other penalties provided by law. No portion of the fine shall be suspended unless the court orders 20 hours of community service. The Commonwealth Transportation Board or any local governing body having jurisdiction over highways shall develop criteria for the overall applicability for the installation of signs. Such criteria shall not exclude highways, functionally classified as minor arterials, serving areas that either (i) were built as residential developments or (ii) have grown to resemble residential developments, provided, in either case, (i) such highways are experiencing documented speeding problems and (ii) the local governing body requests the application of this section to such highway.

(1996, c. 172; 1999, c. 87; 2002, c. 882; 2004, c. 350.)

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY ADDING THERETO A NEW SECTION NUMBERED 25-193.1, RELATING TO THE PLACEMENT OF MAXIMUM SPEED LIMIT SIGNS IN CERTAIN RESIDENCE DISTRICTS AND THE FINE FOR EXCEEDING THE MAXIMUM SPEED LIMIT IN POSTED RESIDENCE DISTRICTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by adding thereto Section 25-193.1 as follows:

Sec. 25-193.1. Posting of speed limits in certain enumerated residence districts and the fine for exceeding the maximum speed limit in a posted residence district.

(a) Pursuant to section 46.2-878.2 of the code of Virginia, the maximum speed limits shall be indicated by appropriately placed signs in the following enumerated resident districts:

(b) When the maximum speed limit for a residence district is indicated by appropriately placed signs displaying the maximum speed limit, any person exceeding such speed limit shall be guilty of a traffic infraction punishable by a fine of \$200, in addition to other penalties provided by law. No portion of the fine shall be suspended unless the court orders twenty (20) hours of community service.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

Clerk of Council